



PATENT

Customer No.: 22,852

Attorney Docket No.: 08203.0033

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Frank BONADIO et al.

Application No.: 10/736,234

Filed: December 16, 2003

For: SURGICAL DEVICE

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) Group Art Unit: 3733

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) Examiner: Ramana, Anuradha

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) Confirmation No.: 3142

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents listed on the attached Form PTO/SB/08. This Information Disclosure Statement is being filed after the events recited in § 1.97(b) but before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by § 1.17(p).

Copies of Copies of the listed foreign patent documents are attached, and English abstracts have been provided where available. The listed U.S. patent publication is an English-language counterpart to JP 11290327. A copy of the listed U.S. patent publication is not enclosed.

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Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached Form PTO/SB/08.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If the Examiner applies the documents as prior art against any claims in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Patent Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: January 7, 2008

By: \_\_\_\_\_



Thomas Y. Ho  
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